



ATTORNEY'S DOCKET NO. C1039/7035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: Krieg et al.
Serial No: 09/669,187
Filed: September 25, 2000
For: IMMUNOSTIMULATORY NUCLEIC ACIDS
Examiner: Not Assigned
Group No.: 1646

JUN 05 2001

TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 30 day of May, 2001.

Maria A. Trevisan
Maria A. Trevisan, Reg. No. : P-48,207

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement/1449/references cited
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts. No fee is required. If any fee is determined to be due by the Examiner, the Examiner is authorized to charge the appropriate fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Maria A. Trevisan
Maria A. Trevisan (Reg. No. P-48,207)
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1039/7035 (HCL/MAT)
Dated: May 30, 2001
xndd



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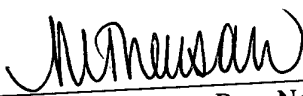
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Maria A. Trevisan, Reg. No. : P-48,207

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: - Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 

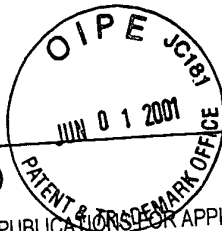
Maria A. Trevisan, Reg No. P-48,207
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600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1039/7035 (HCL/MAT)

Dated: *May 30, 2001*

x

JUN 05 2001



FORM PTO-1449(Modified)

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.: C1039/7035

TECH CENTER 1600/2000

APPLICANT: Krieg, et al.

FILING DATE: September 25, 2000

GROUP: 1646

U.S. PATENT DOCUMENTS

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	FILING DATE If Appropriate

FOREIGN PATENT DOCUMENTS

		Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No

OTHER ART

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

	C1		Kataoka, et al., "Antitumor activity of synthetic oligonucleotides with sequences from cDNA encoding proteins of <i>Mycobacterium bovis</i> BCG", <i>Jpn. J. Cancer Res.</i> , 83:244-247 (1992)
	C2		Krieg, et al., "Editorial: Phosphorothioate oligodeoxynucleotides: antisense or anti-protein?", <i>Antisense Res. Devlp.</i> , 5:241 (1995)
	C3		Krieg, A.M., "Leukocyte stimulation by oligodeoxynucleotides", <i>Applied Antisense Oligonucleotide Technology</i> , 24:431-448 (1998)
	C4		Sun, et al., "Mitogenicity of DNA from different organisms for murine B cells", <i>J. Immunol.</i> , 159:3119-3125 (1997)
	C5		Krieg, et al., "Brief Communication: Oligodeoxynucleotide modifications determine the magnitude of B cell stimulation by CpG motifs", <i>Antisense Nucleic Acid. Drug Development</i> , 6:133-139 (1996)
	C6		Messina, et al., "Stimulation of in vitro murine lymphocyte proliferation by bacterial DNA", <i>J. of Immunol.</i> , 147(6):1759-1764 (1991)
	C7		McIntyre, et al., "A sense phosphorothioate oligonucleotide directed to the initiation codon of transcription factor NF- κ B p65 causes sequence-specific immune stimulation", <i>Antisense Res. and Devlp.</i> , 3:309-322 (1993)
	C8		Hartmann, et al., "Mechanism and function of a newly identified CpG DNA motif in human primary b cells", <i>J. of Immunol.</i> , 164:944-952 (2000)
	C9		Yi, et al., "CpG DNA rescues B cells from apoptosis by activating NF κ B and preventing mitochondrial membrane potential disruption via a chloroquine-sensitive pathway", <i>International Immunol.</i> , 11(12):2015-2024 (1999)
	C10		Hartmann, et al., "Delineation of a CpG phosphorothioate oligodeoxynucleotide for activating primate immune responses in vitro and in vivo", <i>J. of Immunol.</i> , 164:1617-1624 (2000)
	C11		Pisetsky, et al., "The influence of base sequence on the immunological properties of defined oligonucleotides", <i>Immunopharmacology</i> , 40:199-208 (1998)

